

REMARKS/ARGUMENTS

Applicant acknowledges receipt of the Office Action dated 12/21/2005. Claims 1-23 are pending in the application and are presented for reconsideration and further examination in view of the following remarks and arguments.

By this Response and Amendment the rejections of claims 1-23 under U.S.C. § 103(a) are respectfully traversed.

Rejections under 35 U.S.C. §103

Claims 1, 2, 4-7, 9-12, 14-19 and 21-23 were rejected under 35 U.S.C. §103(a) as obvious over Slaughter et al. (US Patent 6,643,650), hereinafter noted "Slaughter", in view of UDDI Technical White Paper, hereinafter noted "UDDI-WP", and Daniels-Barnes et al. (US Patent 6,571,277), hereinafter noted "Daniels-Barnes."

Claims 3, 8, 13 and 20 were rejected under 35 U.S.C. §103(a) as obvious over Slaughter in view of UDDI-WP and Daniels-Barnes, and in further view of Bisdikian et al. (US Patent 5,974,406), hereinafter noted "Bisdikian."

Applicant respectfully traverses the rejections.

To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143-§2143.03 for decisions pertinent to each of these criteria.

Applicant submits that, contrary to the Examiner's assertion, Slaughter does not teach a "service provider registering a service" with a server and "storing the same in a database." What Slaughter shows at Col. 45:21-49 is: "a base space service may provide a transient

repository of XML documents” and “in one embodiment, services must continuously renew leases on the publishing of information in the spaces.” Applicant submits that leasing space for publishing information in an XML document repository is different from registering a service with a server. Moreover, as admitted by the Examiner, **Slaughter does not teach a server being a UDDI server, as set forth in claim 1.** For the same reason, Slaughter does not teach “a user requesting a service from the UDDI server.”

Applicant submits that, contrary to the Examiner's assertion, Slaughter does not teach the successive steps of: initially searching a database, updating the database, subsequently searching the updated database, and notifying the user of the results of the subsequent search. What Slaughter shows at Col. 46:46 to Col. 49:27 is a look-up facility that provides a one-time search for documents within a space, and a separate “mechanism that allows services and clients to subscribe to and receive events about the publication of XML documents.” (Col. 48:44-47) The notification described by Slaughter is not the result of a subsequent search triggered by an initial, unsuccessful search, but instead requires a dedicated subscription by the user. Moreover, as admitted by the Examiner, Slaughter does not teach that the subsequent search is done **in response to the initial search determining that the service is either not found in the database or the service is found but is not available, as set forth in claim 1.**

The Examiner relies upon UDDI-WP for the feature of the server being a UDDI server as set forth in claim 1 of the present application. However, UDDI-WP does not cure the other deficiencies of Slaughter and there is no teaching or motivation in the cited references to modify Slaughter's invention to use a UDDI server.

The Examiner relies upon Daniels-Barnes for the feature wherein “the subsequent searching is responsive to the initial search determining that the service was not found in the database.” Daniels-Barnes is directed to a method and apparatus for providing proxy services in a distributed data processing system, wherein “clients may be registered in the client subscription information such that they are sent a multicast message when a service becomes available.” (Col. 6:29-35) However, Daniels-Barnes is silent on a subsequent search being responsive to an initial search determining that the service was not found in the database. Applicant therefore submits that Daniels-Barnes does not cure the deficiencies of Slaughter.

Thus, Applicant submits that the cited references, either separately or in combination, do not teach or suggest all the claim limitations, and that there is no teaching or motivation in said cited references to modify and/or combine them.

It is therefore submitted that claims 1, and consequently also claim 18, which is directed to a system comprising means adapted to perform the method recited in claim 1, are not obvious over the cited art references.

Accordingly, reconsideration and withdrawal of their rejection is respectfully requested.

It is submitted that claims 2-17 are also allowable because they ultimately depend from claim 1, which is allowable over the cited art references based upon the above arguments. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

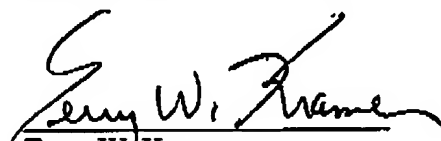
It is also submitted that claims 19-23 are also allowable because they ultimately depend from claim 18, which is allowable over the cited art references based upon the above arguments. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

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While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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